IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 2119 of 2005

Between:

Visakha Co-operative Dairy Contrct Labour Union, A Registered Union wide Registered No.D-782/85, Having its Office at Visakhapatnam, Rep. by its General Secretary Molli Appalanaidu.

..... PETITIONER

AND

1 Deputy Commissioner of Labour, Visakhapatnam.
2 The Managing Director, The Visakha Co-operative Dairy, Visakhapatnam.
3 M.V. Rama Krishna, Labour Contractor,
The Visakha Co-operative Dairy, Visakhapatnam- 12

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue a Writ, Order or direction particularly one in the nature of Writ of Mandamus declaring the impugned action of the 2nd respondent in entering into agreements with the some of the employees contrary to the standing orders converting the contract labour into agreement labour as illegal arbitrary and contrary to the Principals of Natural Justice and Violative of Article 14 and 21 of the constitution of India or else the petitioner herein will be put to irreparable loss and hardship and pass such other order or orders which this Hon'ble Court may deem fit and proper in the circumstances of the case and in the interest of justice.

Counsel for the Petitioner: MR.V.RAGHU

Counsel for the Respondent Nos.1 and 2: GP FOR LABOUR

Counsel for the Respondent No.3: --

The Court at the stage of admission made the following:

ORDER:

The present writ petition is filed challenging the action of the second respondent in entering into agreements with some of the employees contrary to the Standing Orders converting the contract labour into agreement labour.

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents 1 and 2.

Though the unofficial respondent is made a party to the writ petition, no relief is sought against him. Hence, his presence may not be necessary for disposal of the petitioners' representation dated 03.02.2005. Therefore, without going into the merits of the case, the writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioners dated 03.02.2005 and to pass appropriate orders in accordance with law within a period of two weeks from the date of receipt of this order. No costs.

_____

09.02.2005

VGB

To

1 Deputy Commissioner of Labour, Visakhapatnam.
2 The Managing Director, The Visakha Co-operative Dairy, Visakhapatnam.
3 2CCs to the G.P. for Labour, High Court Buildings, Hyderabad (OUT)

4 2CD copies.